

BILLY J. WILLIAMS, OSB #901366
United States Attorney
District of Oregon
RACHEL K. SOWRAY, OSB #095159
Special Assistant United States Attorney
Rachel.Sowray@usdoj.gov
1000 SW Third Avenue, Suite 600
Portland, OR 97204-2902
Telephone: (503) 727-1000
Attorneys for United States of America

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON
PORTLAND DIVISION

UNITED STATES OF AMERICA

3:20-cr-00011-SB

v.

**GOVERNMENT'S SENTENCING
MEMORANDUM**

ERICK CARLSEN,

Defendant.

Introduction

The defendant threatened a mass shooting at a Social Security Administration office.

The court should impose a five-year term of probation and those conditions agreed upon by the parties in the plea agreement letter.

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Government's Sentencing Memorandum

Factual Background

The government concurs with the facts recited in both the plea agreement letter and PSR. There is nothing further to add.

Government's Recommended Sentence

Defendant agreed to plead guilty to an Information charging a misdemeanor in this matter. The government recommends the court impose the terms listed in the plea agreement and those in the PSR, except those discussed below.

The parties have agreed, and the government recommends, that the defendant be sentenced to a five-year term of probation. In this case, the global health crisis impacted the defendant's original sentencing date of March 18, 2020. Due to this unusual circumstance and the defendant's performance on pre-trial release, the government does not object to the term of probation being equivalent to what would remain of the five year period had defendant been sentenced on the March date. This would be a 57-month probation term by the government's calculations.

The plea agreement further specifies the following: continued mental health treatment, including taking prescription medications as prescribed, any other treatment recommended by the United States Probation Office, no contact with SSA and its employees unless previously authorized by the probation officer, and to not possess any firearms, including not having any firearms in his residence. These conditions should be ordered by the court.

The PSR report created by the United States Probation Office recommends mandatory conditions 1-5, standard conditions 1-13, and special conditions 1-12, and the \$25 special assessment. The government recommends the court impose all of these conditions except those involving computer and internet monitoring, special conditions 11 and 12, which the defense has

noted an objection to. As those were not contemplated in the plea agreement paperwork, the government will take no position on those conditions.

Conclusion

The terms agreed to in the plea agreement are appropriate and should be ordered by the court, and the government does not object to setting the probation period as outlined here.

Mandatory conditions 1-5, standard conditions 1-13, and special conditions 1-10 in the PSR should be imposed, as well, and the government will take no position on the remaining special conditions.

Dated: June 4, 2020

Respectfully submitted,

BILLY J. WILLIAMS
United States Attorney

/s/ Rachel K. Sowray
RACHEL K. SOWRAY, OSB #095159
Special Assistant United States Attorney